

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Crim. No. 04-10219-JLT
)
EMMANUEL LEE)

**REQUEST TO EXTEND DUE DATE
FOR FILING SUPPRESSION MOTIONS**

Now Comes defendant Emmanuel Lee, who respectfully moves this Court to extend the due date for filing suppression motions in this case from December 15, 2004 to January 21, 2005.

Defendant also seeks to continue the status conference presently scheduled for January 14, 2005 to some day in February 2005 that is convenient for all parties. In support of this request, defendant states the following:

1. Counsel for Mr. Lee has been on trial in a first degree murder trial entitled Commonwealth v. Nelson (Suffolk County, Hinkle, J. Presiding) since November 15, 2004. The jury is presently in deliberations

2. Consequently, counsel has not had an opportunity to meet with Mr. Lee or to review the propriety of filing said motions. Mr. Lee lives in Philadelphia.

3. Given counsel's schedule over the holiday and early January, defendant seeks an additional month to file said motion.

4. Defendant waives his rights under the Speedy Trial Act for the period of this extension.

See Affidavit of Counsel attached as Exhibit A.

Wherefore, defendant moves this Court to reset the deadlines

for filing motions and to change the next status hearing to another take as requested above.

Submitted By

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AFFIDAVIT OF COUNSEL

I, James Budreau, do state that the following is true to the best of my knowledge:

1. I was appointed as counsel for Emmanuel Lee in the above referenced case.

2. The facts contained in the motion are true to the best of my knowledge and recollection.

Signed under pains and penalties of perjury,

James Budreau /S/
JAMES BUDREAU